

Message Text

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ACTION EB-07

INFO OCT-01 EA-06 ISO-00 L-02 CAB-02 CIAE-00 COME-00

DODE-00 DOTE-00 INR-05 NSAE-00 RSC-01 FAA-00 /024 W

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R 020840Z DEC 74

FM AMEMBASSY MANILA

TO SECSTATE WASHDC 8780

C O N F I D E N T I A L MANILA 14130

E.O. 11652: GDS

TAGS: EAIR, RP

SUBJECT: CIVAIR - PAN AM ALL-CARGO SERVICE

REF: A. STATE 263486

B. MANILA 13842

1. WE UNDERSTAND PHIL CAB HEARING ON PAN AM CARGO PERMIT NOW SCHEDULED FOR DEC. 3. ACCORDING ASPIRAS STAFF, HE RETURNING TO MANILA DEC. 2. WE ALSO UNDERSTAND THAT PAL HAS FILED FORMAL OPPOSITION TO PAN AM MOTION, SO THERE SHOULD BE NO PROCEDURAL REASON FOR FURTHER DELAY IN HEARING.

2. RE POSSIBLE ESCALATION OF APPROACHES HERE, WE HAVE BEEN OF VIEW AS EARLIER INDICATED THAT AN EXHAUSTION OF PROCEDURAL REMEDIES SHOULD OCCUR, IF POSSIBLE, BEFORE TAKING MATTER TO HIGHER.

IF HEARING COMES OFF ON SCHEDULE NOT SET, IT WOULD SEEM WASTE OF AMMUNITION TO GO OVER CAB BEFOREHAND.

3. CASE RECEIVED EXTENSIVE COVERAGE DEC. 2 IN ORIENT NEWS, A CHINESE AND ENGLISH LANGUAGE REPUTED HOUSE ORGAN OF MRS. MARCOS. STORY IS FULL REPORT ON PAL COMPLAINT AND CONTAINS DISTORTED VERSION OF EMBASSY OFFER TO RECOMMEND MITIGATION OF PENALTIES AGAINST PAL IN DC-10 SEIZURE CASE. OVERALL THRUST OF PIECE CLEARLY IS TOWARD FINDING A GIMMICK TO FINE PAN AM FOR CARGO OPERATIONS.

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4. FYI: PAN AM MAY BE MORE VULNERABLE THAN MEETS THE EYE.

WHILE WE HAVE NO DOUBT THAT PAN AM HAS BEEN CAREFUL TO KEEP
COMPLETE RECORD OF DAY TO DAY AUTHORITY FOR COMMERCIAL CARGO
ADDITIONS TO BASIC PERMIT, PHIL CAB HAS BEEN MORE AND MORE
RELUCTANT TO ISSUE FORMAL WRITTEN AUTHORIZATIONS. THESE, IT
APPEARS, MAY HAVE BEEN PAID FOR BY VARIOUS MEANS OF QUESTIONABLE
PROPRIETY. THERE IS A VERY GOOD
QUESTION, THEREFORE, WHETHER PHIL CAB WOULD CONCEDE LEGALITY
OF PAN AM OPERATIONS IF THE CHIPS WERE DOWN. END FYI.

5. WE WILL BE IN TOUCH WITH ASPIRAS AS SOON AS POSSIBLE AFTER
HIS RETURN TO URGE PROMPT AND FAVORABLE ACTION ON PAN AM'S
CASE. SUBJECT TO FURTHER EVIDENCE OF STALLING OR OF A POTENTIALLY
UNFAVORABLE RESULT, WE DO NOT, REPEAT NOT BELIEVE MATTER
SHOULD BE ESCALATED IN CURRENT CIRCUMSTANCES.
SULLIVAN

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